APPLICATION FOR PTA under 37 CFR 1.705(b) TRANSMITTAL LETTER

Attorney Docket No: A369-USA-CIP

Application Serial Number:

_10/821:023

Filing Date: 4/7/2004

Examiner: Jason L. Savage Art Unit: 1775

Invention: BRAZING TITANIUM TO STAINLESS STEEL USING Ti-Ni FILLER MATERIAL

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an application for Patent Term Adjustment for the above-identified application. The fee has been calculated as shown below.

The commissioner is authorized to charge \$200.00 to Deposit Account 500692.

in accordance with the fee specified in 37 CFR 1.18 (e).

Gary Schnittgrund Attorney for Applicant

Reg. No. 42,130

I hereby certify that this Correspondence is being facsimile transmitted to the USPTO at 571-273-8300 on February 9, 2006.

Oleh Zajac

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Jiang, et al.

Art Unit:

1775

Serial No.:

10/823,963

Examiner:

Jason L. Savage

Filed:

4/14/2004

Docket No.:

A369-CIP

For:

Brazing Titanium to Stainless Steel Using Layered Particulate

VIA FACSIMILE 571-273-8300

Mail Stop Issue Fee Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 1 - 02/13/2006 HDEMESS2 00000001 500692 10823963

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APPLICATION FOR PATENT TERM ADJUSTMENT under 37 CFR 1.705(b)

Dear Sir:

In response to the Determination of Patent Term Adjustment dated Jan. 24, 2006, Applicant respectfully requests that the USPTO consider the following facts and correct the Patent term Adjustment to 73 days.

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STATEMENT OF THE FACTS

The Patent Term Adjustment for the above application as computed by the USPTO is 44 days according to the above referenced Determination of Patent Term Adjustment. According to the Patent Term Adjustment History for the above application obtained from the USPTO PAIR database and attached to this application, the USPTO has determined that there were 73 days of delay by the USPTO and 29 days of delay by the Applicant.

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Serial No. 10/823,963

Applicant hereby submits that Applicant was not the cause of the 29 day delay. The chronology of events is as follows:

Aug., 26, 2005 -

USPTO mails to the Applicant a non-final office action with a 3 month period for reply.

Oct. 3, 2005

Applicant faxes a response to the office action of Aug., 26, 2005. Applicant's fax machine does not send all 11 pages and the complete response of 11 pages is resent twice to the USPTO. The USPTO fax server receives both complete11 page fax transmissions as evidenced by the attached USPTO Auto-Reply Facsimile Transmissions.

Oct., 11, 2005

USPTO mails a Notice of Non-Compliant Amendment to Applicant, which indicates that a complete listing of all the claims is not present in the Amendment filed by Applicant on 10/3/05. Apparently, the two complete 11 page faxes of the Amendment sent on 10/3/05 do not reach the Examiner or the File Wrapper. There was no omission by the Applicant in the two complete copies of the Amendment faxed to the USPTO on 10/3/05.

Oct. 21, 2005

Applicant receives an Auto–Reply Facsimile Transmission from the USPTO for the first fax transmission by Applicant on 10/3/05 indicating that only 7 pages were received. This was sent 18 days after the first incomplete fax and the two complete faxes received by the USPTO.

Nov. 1, 2005

Applicant faxes to the USPTO a Response to the Notice of Non-Compliant Amendment of 10/11/05. The Response explained that this was the third time that

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Serial No. 10/823,963

the entire Amendment had been submitted to the USPTO and all three aforementioned USPTO Auto-Replies were attached.

Jan. 24, 2005

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USPTO mails the Determination of Patent Term Adjustment with a PTA of 44 days. Apparently, the information and the attachments provided in the response of 11/1/05 were not taken into account in computing the Patent Term Adjustment.

COMMENTS

Two complete copies of the 11 page Amendment of 10/3/05 were received by the USPTO but they were not placed in the file wrapper or given to the examiner for the above application, apparently due to an error by the USPTO. Therefore, the 29 days from 10/3/05 to 11/1/05 should not diminish any PTA as computed by the USPTO.

Applicant respectfully requests that a corrected Determination of Patent Term Adjustment with a PTA of 73 days be issued by the USPTO for the above patent application. If for any reason the USPTO finds this application for PTA not complete or insufficient to adjust the PTA to 73 days, the USPTO is requested to call the undersigned attorney at the Los Angeles, California area telephone number (661) 702-6814 to discuss the steps necessary for correcting the PTA.

Respectfully submitted,

Gary Schnittgrund Attorney for Applicant Reg. No. 42,130

The Alfred E. Mann Foundation for Scientific Research P.O. Box 905
Santa Clarita, California 91355
(661) 702-6814
(661) 702-6710 (fax)

Printer Friendly

10/823,963 BRAZING TITANIUM TO STAINLESS STEEL USING LAYERED PARTICULATE

Patent Term Adjustment History

Patent	t Term Adjustmen	t (PTA) for A	pplication N	lumber: 10.	/823,963	3
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<u> </u>	sue Date of Patent:			Thre	e Years:	-
Pre-Iss	ue Petitions (days):	+0	App	licant Delay	(APPL):	29
Post-Issue Petitions (days):			Total PTA:			44
USPTO	Adjustment(days):	+0	Explanation	on Of Calcul	ations	
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01-24-2006	Mail Examiner Int 413)	erview Summ	ary (PTOL -			
01-23-2006	Notice of Allowan Completed	ce Data Verifi	cation			
01-23-2006	Case Docketed to	Examiner in G	AU			
01-19-2006	Examiner Intervier - 413)	w Summary Ro	ecord (PTOL			
11-09-2005	Date Forwarded to	Examiner		i		
11-01-2005	Response after No	n-Final Action		19		29
10-11-2005	Mail Nation of Inf			4		î
10-06-2005	Date Forwarded to	Examiner	1	1		1
10-03-2005	Informal or Non-R after Examiner Act	esponsive Am	endment	1		æ
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08-26-2005	Mail Non-Final Re	jection		73		
08-24-2005	Non-Final Rejection	n		Ŷ		_··
08-23-2005	Case Docketed to 1	Examiner in G	AU	4		
01-10-2005	Miscellaneous Inco	oming Letter		*		
07-22-2004	IFW TSS Processin	ng by Tech Ce	nter	1		
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	MENDMENT T	RANSM	TIALIETTE	2		ry Docket No. 9-USA-CIP
10/8:	Serial Number: 21,023		lling Date: 4/7/2004	Janon L	niner: . Sevage	Art Unit: 1775
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a verified statement previously submitted. A verified statement to establish small ordity status under 37 CFR 1.9 or	d 1,27 is enclosed.
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